

Trion James v. Port Authority Police Department, Port Authority of New York and New Jersey, Edward Cetnar (in his official capacity), Christopher McNerney (in his official capacity), and Does 1-5

Civil No.: 1:22-cv-02463-PGG

EXHIBIT T



MEMORANDUM

Office of Inspector General

To: Edward Cetnar, Superintendent of Police/Director of Public Safety
From: Victoria Lubeck, Detective Lieutenant/Commanding Officer of PIU
Date: July 11, 2022
Subject: **POLICE SERGEANT TRION JAMES— EMPLOYEE #44239
(PIU-C-21-0036)**
Copy: R. Bellucci, J. Bilich, J. Campisi, K. Connelly, R. Darcy, J. Gay, M. Hannell,
J. Ortiz, R. Rodrigues, A. Rodriguez-Betances, S. Yablonsky, File

NAME: Trion James
RANK: Police Sergeant
SHIELD NO: 323
EMPL. NO: 44239

On October 21, 2021, at approximately 1900 hours, Port Authority Police Sergeant Trion James who was assigned at the time to the World Trade Center ("WTC") Police Command was involved in an off-duty incident at the WTC, Tower 1 with a Durst Security Manager. It was alleged that while off-duty Sergeant James was involved in a verbal dispute with a Durst Security Manager where Sergeant James was alleged to have shoved the Durst Security Manager during the incident. Sergeant James had dinner reservations for 6:00 pm at One Dine in Tower 1. Sergeant James arrived late at the Guest Service Desk (accompanied by uniformed Police Officer Jeaneth Fajardo, Employee #51720) where he was alleged to be displaying his Port Authority Police Identification Card and Sergeant Shield to Guest Service Desk personnel and Durst Security personnel. In sum and substance, Sergeant James arrived late for his reservation, displayed his police credentials, and was belligerent to staff.

The Durst Security Manager approached Sergeant James in an effort to diffuse the situation. A verbal altercation ensued between Sergeant James and the Security Manager which led to Sergeant James allegedly shoving him. The Security Manager ordered Sergeant James off the property and Sergeant James departed.

Based on the information provided, the Office of Inspector General's Police Integrity Unit ("PIU") commenced an investigation. The purpose of this memorandum is to briefly summarize the results of this investigation. This memorandum does not purport to catalog all the evidence gathered by the PIU during this investigation.



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The PIU secured security footage from the date of the subject incident. Based on the allegations made against Sergeant James, the obtained security footage revealed the following:

- Sergeant James was observed entering the WTC Tower 1 Observatory lobby from the Oculus Sky Lobby wearing civilian clothes with his department issued Police Sergeant shield on a lanyard, clearly visible around his neck. Police Officer Jeaneth Fajardo followed Sergeant James into the Tower 1 Lobby.
- Sergeant James was observed intentionally using his right shoulder to strike the Security Manager on the shoulder. Sergeant James then proceeded to wave his arms in the air.

PIU conducted numerous interviews consisting of Durst Security Personnel, Legends Observatory Personnel, and Members of the Port Authority Police Department. Below is a summation of the interview with the Security Manager:

The Security Manager stated that he became aware of a situation with Sergeant James at approximately 1815 hours on the subject date. Information was conveyed to him by Marvin Riggins (Supervisor-Guest Services) that Sergeant James contacted the One Dine Restaurant at 1805 hours explaining that he was going to be late for an 1800-hour reservation for three. Sergeant James told the host (Jackson Sturkey) that he would not be there until 1900 hours. The host informed Sergeant James that he would need to speak to someone from Guest Services as the gates allowing access to the Observatory and One Dine close at 1830 hours. Sergeant James ended the phone call never speaking to anyone from Guest Services. The host contacted Guest Services who in turn contacted the Security Manager.

The Security Manager stated that on occasion they try to accommodate guests past 1830 hours if security personnel are available to conduct the screening of guests prior to going to the Observatory and/or One Dine. Typically, at 1850 hours, all security personnel are directed to the Observatory to clear guests as the Observatory closes at 1900 hours. Additionally, guests must make reservations for One Dine and have an admittance ticket for the Observatory even if they choose not to visit the Observatory. On the date of the subject incident, Sergeant James arrived at 1855 hours (without an Observatory ticket). Therefore, the screening point was already closed, and no additional guests were allowed entrance to the Observatory and One Dine.

The Security Manager made his approach to Sergeant James at approximately 1855 hours. The Security Manager stated that Sergeant James was speaking to Operations Supervisor for Guest Services (Torian Tinnian). The Security Manager further stated that Sergeant James was displaying his Police Shield around his neck while not in a police uniform and was escorted by a female Port Authority Police Officer (later identified as Officer Jeaneth Fajardo). Sergeant James was described as "*out of control*" flailing his arms around and pointing and gesturing with a loud elevation in his voice. Once the Security Manager approached Sergeant James, he stated he was "*being disrespected.*"



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The Security Manager introduced himself to Sergeant James and Sergeant James immediately replied, *"I don't wanna talk to these guys anymore. I'm the police. I told them that I was goin' upstairs to eat. I, I had reservations. I told the restaurant I was comin'."* The Security Manager stated that Sergeant James looked over at the Guest Service desk and said, *"This is disgraceful; this is my fuckin' building."*

The Security Manager stated that he asked Sergeant James to step to the side and lower his voice as guests were walking by. He questioned Sergeant James as to why he was displaying his police shield and being escorted by a police officer. Sergeant James responded that he wanted to make sure that it was known that he was the police. The Security Manager described Sergeant James as going on a *"rant"* as he tried to speak to him. The Security Manager stated, *"He reiterated the fact that this is his fuckin' building that he's the guy that I'm gonna call when shit hits the fan, he's the one that responds and helps out."*

The Security Manager and Sergeant James had back and forth conversation that led to the Security Manager directing Sergeant James to leave the building. The Security Manager described Sergeant James as *"Out of control"* numerous times during the interview. The Security Manager approached Officer Fajardo asking that she remove Sergeant James. The Security Manager further stated that Officer Fajardo asked Sergeant James to leave approximately a dozen times. Then the Security Manager stated, *"So at that point, we were pretty much walkin' right past the column. He turns around and he kinda gives me a shoulder right into my chest, and I looked at him. I go are you kiddin' me right now? And he goes you just assaulted a police officer."*

Torian Tinnian stepped in between the Security Manager and Sergeant James as they were face-to-face. Mr. Tinnian and Officer Fajardo directed Sergeant James to leave the building once again and he complied. The Security Manager stated, *"He kept turnin' around and pointin', you, you made a big mistake. You're makin' a big mistake. You don't know who I am, and I kept goin' yeah, yeah, yeah, just go, and finally he left."*

The additional interviews corroborated the Security Managers account of the incident. It is important to note as it was mentioned in numerous interviews, members of the public who were visiting the Observatory and the One Dine Restaurant were exiting at the time of the incident.



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Sergeant James displayed his police shield and identification card in an attempt to attain preferential treatment from members of Legends and One Dine while at One WTC. Witnesses also stated that Sergeant James was yelling obscenities at employees and abusing his authority. Additionally, witnesses stated Sergeant James made unwanted physical contact with the Security Manager.

Video footage from One WTC captured the physical contact corroborating the witnesses' statements. Audio was not available.

The Police Integrity Unit is providing this information to you for appropriate action.